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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,889	03/08/2001	Toshiki Miyasaka	04329.2524	6822

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EXAMINER

LEE, JOHN J

ART UNIT

PAPER NUMBER

2684

DATE MAILED: 09/30/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/800,889

Applicant(s)

MIYASAKA ET AL.

Examiner

JOHN J LEE

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2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

- 1 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1 – 16** are rejected under 35 U.S.C. 102(e) as being anticipated by Dosch (US Patent number 6,587,698).

Regarding **claim 1**, Dosch discloses that an electronic apparatus (Fig. 1). Dosch teaches that a holding portion (4 in Fig. 1) for detachably (in the case of plug-in/out) holding a radio communication card (communication cards) including an antenna (6 in Fig. 1) (see column 1, lines 56 – column 2, lines 30 and Fig. 1). Dosch discloses that a metal plate on which the holding portion is provided (Fig. 1 and 3 teaches the metal body forming, see column 3, lines 33 – 46). Dosch discloses that a connecting portion (connecting between antenna and card reading portion) for data communication with the radio communication card held by the holding portion (Fig. 2, 3 and column 3, lines 48 – column 4, lines 4). Dosch also discloses that the holding portion being arranged to hold the radio communication card in a manner (see Fig. 2, 3) such that the antenna (16 in Fig. 3) is located outside of the holding portion (Fig. 3) and the minimum distance between the antenna and the metal plate is 1 mm or more (the antenna thickness is 8 mm from the

metal body means 8 mm distance from the body) (see column 4, lines 25 – column 5, lines 21).

Regarding **claims 2, 7, and 11**, Dosch discloses that a transmitter-receiver portion (4 in Fig. 1 and see abstract) connected to the connecting portion (Fig. 1), for transmitting and receiving data through a public data network (base station) (column 1, lines 56 – column 2, lines 10).

Regarding **claim 3**, Dosch discloses that the holding portion (4 in Fig. 1) is arranged to hold the radio communication card in a manner (Fig. 1) such that the minimum distance between the antenna and the metal plate is 2 mm or more (the antenna thickness is 8 mm from the metal body means 8 mm distance from the body) (see column 4, lines 25 – column 5, lines 21).

Regarding **claims 4, 8, 12, and 15**, Dosch discloses that the radio communication card includes a PC card (column 1, lines 6 – 16).

Regarding **claim 5**, Dosch discloses all the limitation, as discussed in claim 1. Furthermore Dosch further discloses that an apparatus body having an installation surface (Fig. 2) and a first surface opposite to the installation surface (Fig. 2 and column 2, lines 36 – column 3, lines 31). Dosch teaches that a holding portion provided at the apparatus body (Fig. 1), for detachably holding a radio communication card (in the case of plug-in/out) which has a second surface (Fig. 3 teaches the front body surface and antenna (16) providing for communication) and an antenna provided on the second surface (Fig. 3 and column 2, lines 58 – column 3, lines 64). Dosch also teaches that the holding portion being arranged to hold the radio communication card in a manner such that the first and

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second surfaces face in the same direction (Fig. 2, 3 and column 3, lines 48 – column 4, lines 50).

Regarding **claim 6**, Dosch discloses that the holding portion includes a preventing portion (the metal body forming for preventing communication cards see 4 in Fig. 3) preventing the radio communication card from being set in a manner such that the first and second surfaces face in opposite directions (Fig. 2, 3 and column 3, lines 48 – column 4, lines 50).

Regarding **claim 9**, Dosch discloses that a display element provided on the first surface of the apparatus body and capable of displaying operating states (abstract, Fig. 1, and column 1, lines 56 – column 2, lines 30).

Regarding **claim 10**, Dosch discloses all the limitation, as discussed in claims 1 and 5. Furthermore Dosch further discloses that situated farther from the installation surface of the apparatus body (Fig. 2) than a center of the apparatus body with respect to the height direction of the apparatus body (the antenna thickness is 8 mm from the metal body means 8 mm height from the body) (see column 4, lines 25 – column 5, lines 21).

Regarding **claim 13**, Dosch discloses all the limitation, as discussed in claims 1 and 10. Furthermore Dosch further discloses that a cover removably fitted to the apparatus body (Fig. 2 teaches plug-in/out the communication card) and covering the radio communication card set in position and the holding portion (the metal body forming for preventing communication cards see 4 in Fig. 3) (Fig. 2, 3 and column 3, lines 48 – column 4, lines 50).

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Regarding **claim 14**, Dosch discloses all the limitation, as discussed in claims 5 and 13.

Regarding **claim 16**, Dosch discloses that the cover is formed of a nonmetallic material capable of transmitting light (column 4, lines 51 – column 5, lines 32 and Fig. 1).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 17 – 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dosch (6,587,698).

Regarding **claim 17**, Dosch discloses all the limitation, as discussed in claims 5 and 10. Furthermore Dosch further discloses that a switch (5d in Fig. 2), another switch (5a in Fig. 1). Dosch teaches that setting means for setting operating modes (state) of the apparatus in accordance with combinations of shift positions of the switches (Fig. 3 teaches the changes operating state mode as the cards plug-in means when shift the position to plug-in the card, changes to operation mode) (abstract, Fig. 1, 2, and column 3, lines 33 – column 4, lines 12). However, Dosch does not exactly disclose the limitation “a slide and rotary switches”. However, this would have been obvious that using the a

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slide and rotary or any kind shape of switches in the electronic device taught by Dosch could have been used in electronic apparatus since all kind of switches is just one kind of switch system and the principle works the same.

Regarding **claim 18**, Dosch discloses all the limitation, as discussed in claims 1 and 2.

Regarding **claim 19**, Dosch teaches that a radio communication portion involving entry of a specific identification code when linked to another apparatus (base station), and wherein the operating modes (active state) including a mode for changing the specific identification code (abstract, Fig. 1, and column 1, lines 56 – column 2, lines 35).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pressler et al. (US Patent number 6,005,700) discloses Computer Peripheral Device with Detachable Portion and Light Display.

Wallace et al. (US Patent number 6,295,031) discloses Memory Card Assembly Having an Integral Antenna.

Inkinen et al. (US Patent number 6,400,931) discloses Card-Like Wireless Communication Device.

Hirabayashi (US Patent number 6,535,172) discloses Antenna Device and Radio Communication Card Module Having Antenna Device.

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-6606 (for informal or draft communications, please label
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to **John J. Lee** whose telephone number is **(703) 306-5936**.
He can normally be reached Monday-Thursday and alternate Fridays from 8:30am-5:00
pm. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, **Nay
Aung Maung**, can be reached on **(703) 308-7745**. Any inquiry of a general nature or
relating to the status of this application should be directed to the Group receptionist
whose telephone number is (703) 305-4700.

J.L.
September 20, 2003

John J Lee

A handwritten signature in black ink, appearing to read "John J. Lee", written over a horizontal line.